

SECTION 12. CHANGES AND AMENDMENTS

12.1 Authority

Whenever the public necessity, convenience, general welfare or good zoning practice require, the Town Board may, by ordinance, after first submitting the proposal to the Planning and Zoning Committee for review and recommendation, change the district boundaries or amend, change or supplement the regulations established by this Ordinance. Any change or amendment that is not consistent with the Town of Rock Smart Growth Comprehensive Plan shall be construed to have amended the Smart Growth Comprehensive Plan so as to comply with the zoning as amended.

12.2 Initiation

A change or amendment may be initiated by the Town Board, Planning and Zoning Committee, or by a petition of one or more of the owners or an agent of property within the area proposed to be changed.

12.3 Petitions

Petitions for any change to the district boundaries or amendments to the regulations shall be filed with the Zoning Officer and the Town Clerk, and shall contain the exact legal description of the premises to be rezoned or of the regulations to be amended, a list of the reasons justifying the petition, and shall specify the proposed use and have attached the following:

(1) Plot Plan drawn to a scale of 1 inch equals Two Hundred (200) feet showing the area proposed to be rezoned, its location and classification of adjacent zoning districts, and the location and existing use of all properties within Two Hundred (200) feet of the area proposed to be rezoned.

(2) Owners' Names and Addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.

(3) Additional Information required by the Planning and Zoning Committee or Town Board.

(4) Fee Receipt from the Town Treasurer in an amount equal to the greater of (a) \$250 or such amount as shall be determined from time to time by Town Board resolution, or (b) the cost of legal notice publication and other expenses related to the hearing.

12.4 Recommendations

The Planning and Zoning Committee shall review all proposed changes and amendments within the limits of the Town and shall recommend that the petition be granted as requested, modified, or denied. If the Town Board does not receive a written recommendation from the Planning and Zoning Committee within sixty (60) days of submitting the proposed

changes or amendments to the Committee, the Town Board may hold hearings without first receiving the recommendation.

12.5 Hearings

The Town Board shall hold a public hearing in connection with any proposed changes to the district boundaries or any proposed amendments, changes or supplements to the regulations established by this Ordinance. A Class 2 Notice under Chapter 985 of the Wisconsin Statutes, listing the time, place, and the changes or amendments proposed, shall first be published in the town prior to the hearing. In addition, if the hearing is in connection with a proposed change to district boundaries or a proposed rezoning of a specific parcel of land, the Town Clerk shall notify in writing all property owners within two hundred (200) feet of the land in question of the hearing at least five (5) days prior thereto. The Town Clerk shall also give at least ten (10) days prior written notice to the Clerk of any municipality within one thousand (1000) feet of any land to be affected by a proposed change or amendment.

12.6 Town Board's Action

Following such hearing and after careful consideration of the Town Planning and Zoning Committee recommendations, the Town Board shall vote on the passage of the proposed change or amendment.

12.7 Protest to Proposed Change

In the event of protest against a proposed district change or amendment to the ordinance, duly signed and acknowledged by the owners of 20 percent or more of the frontage proposed to be altered, or by the owners of at least 20 percent of the frontage immediately in the rear thereof, or by the owners of 20 percent of the frontage directly opposite the frontage proposed to be altered, such amendment shall not be passed by the Town Board unless recommended by a majority vote of the Planning and Zoning Committee.